

Arrest on Out-of-District Offense

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ARREST ON OUT-OF-DISTRICT OFFENSE

'08 MJ2455

Magistrate Case Number: _____

The person charged as Rutilio Chavez DeLeon now appears before this United States

District Court for an initial appearance as a result of the following charges having been filed in the United States

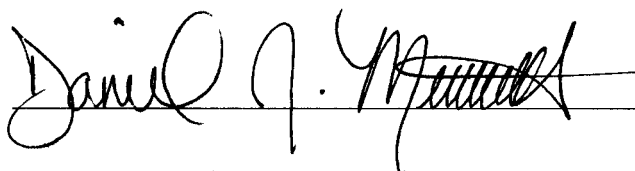
District Court for the _____ District of New Hampshire

with False Statements, False Claim of Citizenship, False Representation of Social Security Number, Aggravated in Identity Theft.
violation of 18 USC Sec. 1001(a)(2); 18 USC Sec. 911; 42 USC Sec. 408(a)(7)(B); 18 USC 1028A(a)(1)(b) & (c)

The charging documents and the warrant of the arrest of the defendant which was issued by the above
United States District Court are attached hereto.

I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my
knowledge, information and belief.

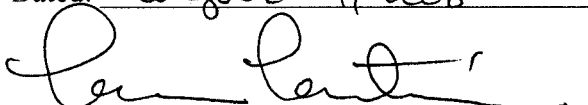
DATED: August 7, 2008



(Name) Special Agent
U.S. Department of State

Reviewed and Approved:

Dated: August 7, 2008



Assistant United States Attorney

AO 442 (Rev. 5/93) Warrant for Arrest

United States District Court

DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA

v.

Rutilio Chavez Deleon
a/k/a Roberto Guerrero Salazar

WARRANT FOR ARREST

CASE NUMBER: 08cr 84-01-B

To: The United States Marshal
and any Authorized United States Officer

SEALED DOCUMENT

YOU ARE HEREBY COMMANDED to
arrest

Rutilio Chavez Deleon

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

False statements; False claim of citizenship; Aggravated identity theft; False representation of Social Security Number

in violation of Title(s) 18 42 United States Code, Section(s) 1001(a)(2); 911; 1028A(a)(1)(b) 408(a)(7)(B)

Ann Mulvey
Name of Issuing Officer

[Signature]
Signature of Issuing Officer

Deputy Clerk
Title of Issuing Officer

7-17-08 Concord, NH
Date and Location

Bail fixed at \$ _____ by _____
Name of Judicial Officer

RETURN		
This warrant was received and executed with the arrest of the above-named defendant at _____		
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

This form was electronically produced by Elite Federal Forms, Inc.

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AO 442 (Rev. 5/93) Warrant for Arrest

THE FOLLOWING IS FURNISHED FOR INFORMATION ONLY:

DEFENDANT'S NAME: Rutilio Chavez DeleonALIAS: Roberto Guerrero SalazarLAST KNOWN RESIDENCE: 1429 York Ave., Escondido, CA

LAST KNOWN EMPLOYMENT: _____

PLACE OF BIRTH: MexicoDATE OF BIRTH: July 1, 1962

SOCIAL SECURITY NUMBER: _____

HEIGHT: 5'6"

WEIGHT: _____

SEX: MRACE: HispHAIR: BlkEYES: BroSCARS, TATTOOS, OTHER DISTINGUISHING MARKS:

FBI NUMBER: _____

COMPLETE DESCRIPTION OF AUTO: _____

INVESTIGATIVE AGENCY AND ADDRESS:

Diplomatic Security Service, Portsmouth, NH

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

U.S. DISTRICT COURT
DISTRICT OF N.H.
FILED

UNITED STATES OF AMERICA

2008 JUL 16 P 2:31

v.

CR. NO. 08-CR- 84 -01- B

RUTILIO CHAVEZ DELEON
A/K/A "Roberto Guerrero Salazar"

SEALED DOCUMENT

INDICTMENT

The Grand Jury charges:

COUNT ONE

FALSE STATEMENTS

[18 U.S.C. §1001(a)(2)]

AT ALL TIMES MATERIAL TO COUNT ONE OF THIS INDICTMENT:

1. The "National Passport Center" is a facility operated by the United States Department of State, Bureau of Consular Affairs, for the filing, processing and adjudication of Applications for United States Passports (forms DS-11 and DS-82). This facility is located at 31 Rochester Avenue, Portsmouth, New Hampshire.

2. Title 22, United States Code, Section 213 and Title 22, Code of Federal Regulations, Section 51.20 require a passport applicant to provide truthful information on a passport application that is material and pertinent to the applicant's eligibility to receive a passport. This requirement includes all information and evidence submitted in support of the application.

cc

3. Under Title 22, United States Code, Section 212 and Title 22, Code of Federal Regulations, Section 51.2, a United States passport may be issued only to a person owing allegiance to the United States. Only a United States citizen or a United States national, that is, an inhabitant of a United States possession, is eligible to receive a United States passport.

4. At all times relevant to the charge in this indictment, defendant, Rutilio Chavez Deleon, was neither a citizen nor a national of the United States.

THE FALSE STATEMENTS

5. In or around, March, 2007, in the District of New Hampshire and elsewhere, the defendant,

Rutilio Chavez Deleon
a/k/a "Roberto Guerrero Salazar"

in a matter within the jurisdiction of the United States Department of State, an agency of the executive branch of the Government of the United States, knowingly and willfully made materially false, fictitious and fraudulent statements and representations in connection with an Application for U.S. Passport by Mail (Form DS-82).

On or about March 22, 2007, Rutilio Chavez Deleon, executed an Application for U.S. Passport by Mail (Form DS-82), which was subsequently processed at the National Passport Center. The

defendant falsely stated on the application that his name was Roberto Guerrero Salazar, that he was born in Los Angeles, California on a certain date in 1949, and claimed as his own a Social Security number which was not in fact his, in violation of Title 18, United States Code, Section 1001(a) (2).

CX

COUNT TWO

**FALSE CLAIM OF CITIZENSHIP
[18 U.S.C. § 911]**

On and around March 22, 2007, in the District of New Hampshire and elsewhere, the defendant,

**Rutilio Chavez Deleon
a/k/a "Roberto Guerrero Salazar"**

did falsely and willfully represent himself to be a citizen of the United States, in that, he executed an Application for United States Passport by mail (Form DS-82). In order to induce and secure the issuance of the United States Passport, the defendant stated falsely on the application that his name was Roberto Guerrero Salazar, that he was born in Los Angeles, California on a certain date in 1949, and claimed as his own a Social Security number which was not in fact his, and submitted with the application a fraudulently obtained California Driver's License and a fraudulently obtained U.S. Passport indicating that he was born in Los Angeles, California on a certain date in 1949. Defendant, Rutilio Chavez Deleon, knew these statements were false when made, and at all times the defendant, Rutilio Chavez Deleon, was not a citizen of the United States.

In violation of Title 18, United States Code, Section 911.

COUNT THREE

FALSE REPRESENTATION OF SOCIAL SECURITY NUMBER

[42 U.S.C. §408(a)(7)(B)]

In and about March of 2007, in the District of New Hampshire and elsewhere, the defendant,

Rutilio Chavez Deleon
a/k/a "Roberto Guerrero Salazar",

with the purpose of fraudulently securing for his own use a United States Passport, and with intent to deceive, falsely represented that a certain social security account number was assigned to him by the Commissioner of Social Security when in fact, as the defendant well knew, that was not the social security account number that had been assigned to the defendant by the Commissioner of Social Security.

All in violation of Title 42, United States Code, Section 408(a)(7)(B).

COUNT FOUR

AGGRAVATED IDENTITY THEFT
[18 U.S.C. § 1028A(a) (1) (b) & (c)]

In and about March of 2007, in the District of New Hampshire and elsewhere, the defendant,

Rutilio Chavez Deleon
a/k/a "Roberto Guerrero Salazar",

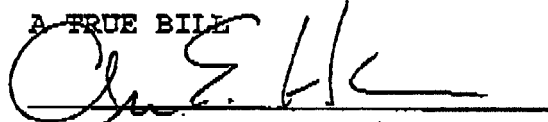
did knowingly transfer, possess and use, without lawful authority, a means of identification of another person, to wit, the name, date and place of birth and the Social Security number belonging to the true Roberto Guerrero Salazar, during and in relation to a felony violation of Title 18, United States Code, Section 1001, as set forth in Count One, in that the defendant did, with the purpose of fraudulently securing for his own use a United States Passport, falsely state on the application for such passport, that his name was Roberto Guerrero Salazar, that he was born in Los Angeles, California on a certain date in 1949, and claimed as his own a Social Security number which was not in fact his, and in support of his application, defendant submitted a fraudulently obtained California Driver's License and a fraudulently obtained U.S. Passport indicating that he was born in Los Angeles, California on a certain date in 1949.

All in violation of Title 18, United States Code, Sections 1028A(a) (1) (b) & (c).

Cox

Dated: July, 16 2008

A TRUE BILL


FOREPERSON

THOMAS P. COLANTUONO
UNITED STATES ATTORNEY
District of New Hampshire

By:


Alfred Rubega
Assistant U.S. Attorney